

Introduced by Senator Ducheny

February 21, 2006

An act to amend Section 42285 of, and to repeal Section 42285.2 of, the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1367, as introduced, Ducheny. Coachella Valley Unified School District: funding.

Existing law requires the Superintendent of Public Instruction to apportion to each school district on a yearly basis state aid funds in an amount that is determined by multiplying the district's total revenue limit, which is computed as specified, by the district's average daily attendance, which is computed as specified. Existing law requires the total revenue limit to be increased by specified amounts for each school that is located in a school district with an average daily attendance of less than 2,501 and meets the definition in existing law of "necessary small high school." Existing law prohibits the designation of a high school as a necessary small high school from being changed unless a review of the determinative factors supporting the designation indicates that the designation should be changed. Existing law requires the specified review to be conducted every 5 years.

Existing law authorizes, until June 30, 2006, the Coachella Valley Unified School District to include the Sea View Elementary School, or the West Shores High School, or both, in its total revenue limit calculation as a necessary small high school, if the amount of average daily attendance of the school included is 286 or less. Existing law requires, after the specified date, the State Department of Education to review the average daily attendance number of each of the specified schools on a biennial basis to determine whether the district is

authorized to continue including the school in its total revenue limit calculation as a necessary small high school.

This bill, instead, would revise the definition of “necessary small high school” to include either or both of the specified schools if the amount of average daily attendance of the school is 286 or less.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42285 of the Education Code is
2 amended to read:

3 42285. (a) ~~For the purposes of Section 42284, a necessary~~
4 ~~small high school for the purposes of Section 42284, is a high~~
5 ~~school with an average daily attendance of less than 301;~~
6 ~~excluding continuation schools, which that comes within any of~~
7 ~~the following conditions (except that a single high school~~
8 ~~maintained by a unified district, or a high school maintained by~~
9 ~~any district for the exclusive purpose of educating juvenile hall~~
10 ~~pupils or pupils with exceptional needs, shall be considered a~~
11 ~~necessary small high school):~~

12 (1) The projection of its future enrollment on the basis of the
13 enrollment of the elementary schools in the district shows that
14 within eight years the enrollment in high school in grades 9 to 12,
15 inclusive, will exceed 300 pupils.

16 (2) Any one of the following combinations of distance and
17 units of average daily attendance applies:

18 (A) The high school had an average daily attendance of less
19 than 100 in grades 9 to 12, inclusive, during the preceding fiscal
20 year and is more than 15 miles by well-traveled road from the
21 nearest other public high school and either 90 percent of the
22 pupils would be required to travel 20 miles or 25 percent of the
23 pupils would be required to travel 30 miles one way from a point
24 on a well-traveled road nearest their homes to the nearest other
25 public high school.

26 (B) The high school had an average daily attendance of 100 or
27 more and less than 150 in grades 9 to 12, inclusive, during the
28 preceding fiscal year and is more than 10 miles by well-traveled
29 road from the nearest other public high school and either 90
30 percent of the pupils would be required to travel 18 miles or 25

1 percent of the pupils would be required to travel 25 miles one
2 way from a point on a well-traveled road nearest their homes to
3 the nearest other public high school.

4 (C) The high school had an average daily attendance of 150 or
5 more and less than 200 in grades 9 to 12, inclusive, during the
6 preceding fiscal year and is more than 7 ½ miles by well-traveled
7 road from the nearest other public high school and either 90
8 percent of the pupils would be required to travel 15 miles or 25
9 percent of the pupils would be required to travel 20 miles one
10 way from a point on a well-traveled road nearest their homes to
11 the nearest other public high school.

12 (D) The high school had an average daily attendance of 200 or
13 more and less than 301 in grades 9 to 12, inclusive, during the
14 preceding fiscal year and is more than five miles by well-traveled
15 road from the nearest other public high school and either 90
16 percent of the pupils would be required to travel 10 miles or 25
17 percent of the pupils would be required to travel 15 miles to the
18 nearest other public high school.

19 (3) Topographical or other conditions exist in the district
20 which would impose unusual hardships on the pupils if the
21 number of miles specified above were required to be traveled. In
22 these cases, the Superintendent may, when requested, and after
23 investigation, grant exceptions from the distance requirements.

24 (4) The Superintendent has approved the recommendation of a
25 county committee on school district organization designating one
26 of two or more schools as necessary isolated schools in a
27 situation where the schools are operated by two or more districts
28 and the average daily attendance of each of the schools is less
29 than 301 in grades 9 to 12, inclusive.

30 (b) *For the purposes of Section 42284, a necessary small high*
31 *school also includes any of the following:*

32 (1) *The only high school maintained by a unified*
33 *school district.*

34 (2) *A high school maintained by a school district for the*
35 *exclusive purpose of educating juvenile hall pupils or pupils with*
36 *exceptional needs.*

37 (3) (A) *The Sea View Elementary School in the Coachella*
38 *Valley Unified School District, as long as the amount of average*
39 *daily attendance of that school is 286 or less.*

1 (B) *The West Shores High School in the Coachella Valley*
2 *Unified School District, as long as the amount of average daily*
3 *attendance of that school is 286 or less.*

4 (c) *For the purposes of Section 42284, a necessary small high*
5 *school does not include a continuation school.*

6 (d) ~~For the 1998-99 fiscal year and each fiscal year thereafter,~~
7 ~~the high school and junior high school average daily attendance~~
8 ~~figures specified in subdivision (a) and the ranges of average~~
9 ~~daily attendance specified in paragraph (2) of subdivision (a)~~
10 ~~shall be reduced by the statewide average rate of excused absence~~
11 ~~reported for high school districts for the 1996-97 fiscal year~~
12 ~~pursuant to Section 42238.7, with the resultant figures and ranges~~
13 ~~rounded to the nearest integer.~~

14 SEC. 2. Section 42285.2 of the Education Code is repealed.

15 ~~42285.2. (a) Notwithstanding any other provision of law, the~~
16 ~~Coachella Valley Unified School District is eligible to receive~~
17 ~~apportionments for the Sea View Elementary School and for the~~
18 ~~West Shores High School pursuant to the schedule for necessary~~
19 ~~small high schools set forth in Section 42284.~~

20 ~~(b) If the amount of average daily attendance of either school~~
21 ~~exceeds 286, that school district shall no longer be entitled to~~
22 ~~receive apportionments as set forth in this section.~~

23 ~~(c) Notwithstanding any other provision of law, the Coachella~~
24 ~~Valley Unified School District shall remain eligible to receive~~
25 ~~apportionments described in subdivision (a) until June 30, 2006,~~
26 ~~pursuant to Section 42286, at the end of which time the~~
27 ~~department shall review the average daily attendance numbers of~~
28 ~~each school described in subdivision (a) to determine whether the~~
29 ~~Coachella Valley Unified School District qualifies for continued~~
30 ~~funding as described in subdivision (a). If the department~~
31 ~~determines that either the Sea View Elementary School or the~~
32 ~~West Shores High School, or both, qualifies for continued~~
33 ~~funding as described in subdivision (a), the Coachella Valley~~
34 ~~Unified School District shall remain eligible to receive~~
35 ~~apportionments, as described in subdivision (a), for the school~~
36 ~~that remains entitled to receive apportionments, or for both~~
37 ~~schools if both remain entitled to receive apportionments.~~
38 ~~Funding for one school, or for both schools, if applicable, shall~~
39 ~~continue in two-year increments, commencing on July 1, 2006,~~
40 ~~with a review of attendance numbers and a determination of~~

- 1 ~~eligibility for each school by the department every two years,~~
- 2 ~~commencing July 1, 2008.~~

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